

FEB 22 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STAFFORD EUGENE ANDERSON, II,

Defendant - Appellant.

No. 10-30033

D.C. No. 3:08-cr-00103-RRB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Alaska  
Ralph R. Beistline, Chief Judge, Presiding

Submitted February 21, 2012\*\*

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Stafford Eugene Anderson, II, appeals from the 180-month sentence imposed following his guilty-plea conviction for drug trafficking conspiracy, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(A), and distribution of

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. Appellant. P. 34(a)(2).

controlled substances, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Anderson contends that the Fair Sentencing Act applies retroactively to preclude the mandatory minimum sentence imposed by the district court for his crack cocaine conviction. This argument is foreclosed. *See United States v. Baptist*, 646 F.3d 1225, 1228-29 (9th Cir. 2011) (per curiam).

**AFFIRMED.**